

2017 - 2018
ANNUAL REPORT

New Challenges



Cover page: Carly McLellan

Défenseur des
enfants et des jeunes
du Nouveau-Brunswick



New Brunswick
Child & Youth
Advocate

Défenseur des
âînés
du Nouveau-Brunswick



New Brunswick
Seniors'
Advocate

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How to cite this document:

New Brunswick Child, Youth and Seniors' Advocate, 2017-2018 Annual Report.

ISBN: 978-1-4605-2440-4

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2017–2018 Annual Report

In this Annual Report, we will present the various fields of intervention of the Office of the Child and Youth Advocate (OCYA): individual requests, education, outreach and research, systemic advocacy, and advice to the government.

Our Vision

All children and youth have a right to reach their full potential and become active citizens. The New Brunswick Child and Youth Advocate believes that our province can be a place where the well-being of children comes first and where their rights and interests are protected. In short, we believe that New Brunswick can be a leader in upholding the rights of our young people.

Our Mission

The Child and Youth Advocate listens to all children and youth; engages with families, community organizations, and government partners, defends the rights of children and youth to ensure that their voices are heard and that their best interests are considered in all decisions that affect their lives.

The Child, Youth and Seniors' Advocate:

- ensures the rights and interests of children, youths and seniors are protected;
- ensures the views of children, youth and seniors are heard and considered where those views might not otherwise be advanced;
- ensures children, youth and seniors have access to approved services and that complaints about these services receive appropriate attention;
- provides information and advice to government, government agencies and communities about the availability, effectiveness, responsiveness and relevance of services to children, youth and seniors; and
- acts as an advocate for the rights and interests of children, youth and seniors in general.

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Office of the Child, Youth and Seniors' Advocate

Our Team:

Norman J. Bossé, Q.C.	Advocate
Juliette Babineau Moore	Office Manager and Administrative Assistant
Sylvie Cummings	Receptionist
Annette Bourque	Clinical Director
Wendy Cartwright	Delegate
Nathalie Gagnon	Delegate
Robert Lafrenière	Director of NB Seniors Advocacy
Marcelle Woods*	Delegate
Christian Whalen	Deputy Advocate and Senior Legal Counsel
Sarah Dennene	Director of Research, Education and Outreach
Gavin Kotze	Director of Systemic Advocacy
*Part of the year	
Imane Ayed*	Civic Service Intern
Travis Daley*	Communications Officer
Audren Le Goff*	Civic Service Intern
Michelle Lepage*	Delegate

Financial Statement

2017–2018	Budget (\$)	Actual (\$)
Personal Services	889,844	890,081.99
Other Services	175,700	182,613.91
Material and Supplies	7,000	3,693.67
Property and Equipment	4,300	1,321.77
Contributions and Grants	0.0	(14,700.00)
Debt and Other Charges	0.0	27,00
TOTAL	1 076,844	1 073,780.53

Message from the Child and Youth Advocate



Pursuant to Section 25 (1) of the *Child, Youth and Senior Advocate Act*, I am submitting the 2017–2018 Annual Report of my Office to the Legislative Assembly of New Brunswick.

This is the 5th Annual Report which I have submitted since my appointment in June 2013. As well, this is the first Annual Report which speaks to and reports on the new mandate assigned to my Office in July 2017 concerning our protection of and advocacy for Seniors and Adults under Protection.

My Annual Report highlights the workings of both offices and given their respective mandates and requirements we have succeeded in serving both children/youth and seniors with a high degree of care as required by our legislation.

The experience and dedication of our professional staff are second to none in Canada. I have personal knowledge of this fact since I am a member and Treasurer of the Canadian Council of Child and Youth Advocates (CCCYA). The CCCYA meets regularly, approximately three (3) times each year, to discuss and share our knowledge as concerns children/youth issues.

This report will also bring to light the many aspects of the work of the Advocate's office including the reports, reviews, case studies, specific data concerning cases and the various government departments we inform and work with to better the lives of children, youth, seniors and adults in need of protection. These vulnerable New Brunswickers need our oversight and advocacy skills.

Finally, as the statistics clearly demonstrate, the requests for advocacy and complaints we receive annually are ever-increasing. The fiscal demands of this Office continue to grow as well. Certainly, the additional mandate received in July 2017 has added an element of financial pressures that we have had to deal with. The additional personnel needed to take on those responsibilities as well as the additional need to create a website and produce necessary literature and media ready messages to inform seniors and adults was challenging.

In order to faithfully meet these ever-increasing fiscal challenges, we humbly request that the government of the day consider and equitably attempt to meet our requests for financial resources through a fair and representative budget process on a yearly basis.

A handwritten signature in black ink, appearing to read "Norman J. Bossé". The signature is fluid and cursive, with a large, stylized initial 'N' and 'B'.

Norman J. Bossé, Q.C.
NB Child, Youth and Seniors Advocate

Child and Youth Advocate Individual Case Advocacy Requests

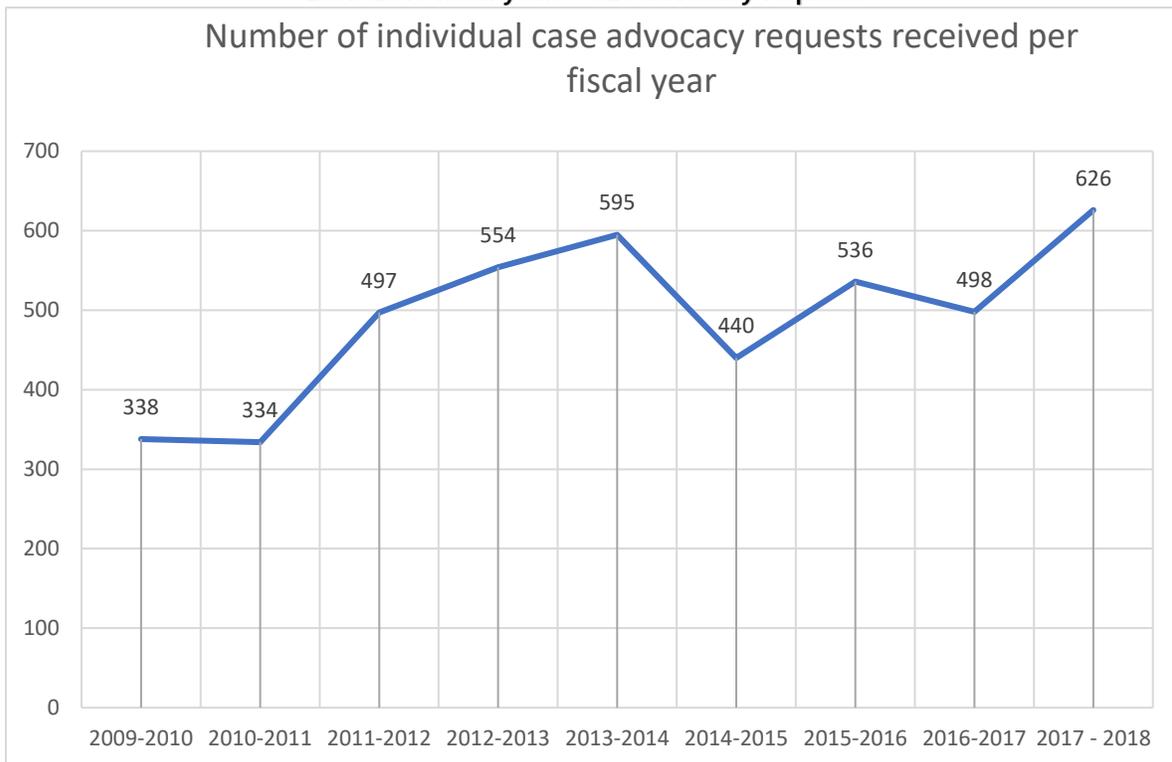
Over the years, the number of individual case advocacy requests received by our office has continued to grow in numbers.

During the 2016–2017 fiscal year, the office received a total of 498 individual requests that were managed by our director and delegates. The individual case advocacy team was comprised of a clinical director and 4 delegates, with 2 delegates for only a part of the year.

For the 2017–2018 fiscal year, the number of files processed at the office has increased once again, to 626 files. These advocacy files were handled by our clinical director and 4 delegates. However, the number of employees varied, as one delegate joined the team in the fall of 2017, while a second delegate worked at our office for a period of 6 months and a third for 2 months.

2016–2017 fiscal year: 498 advocacy requests

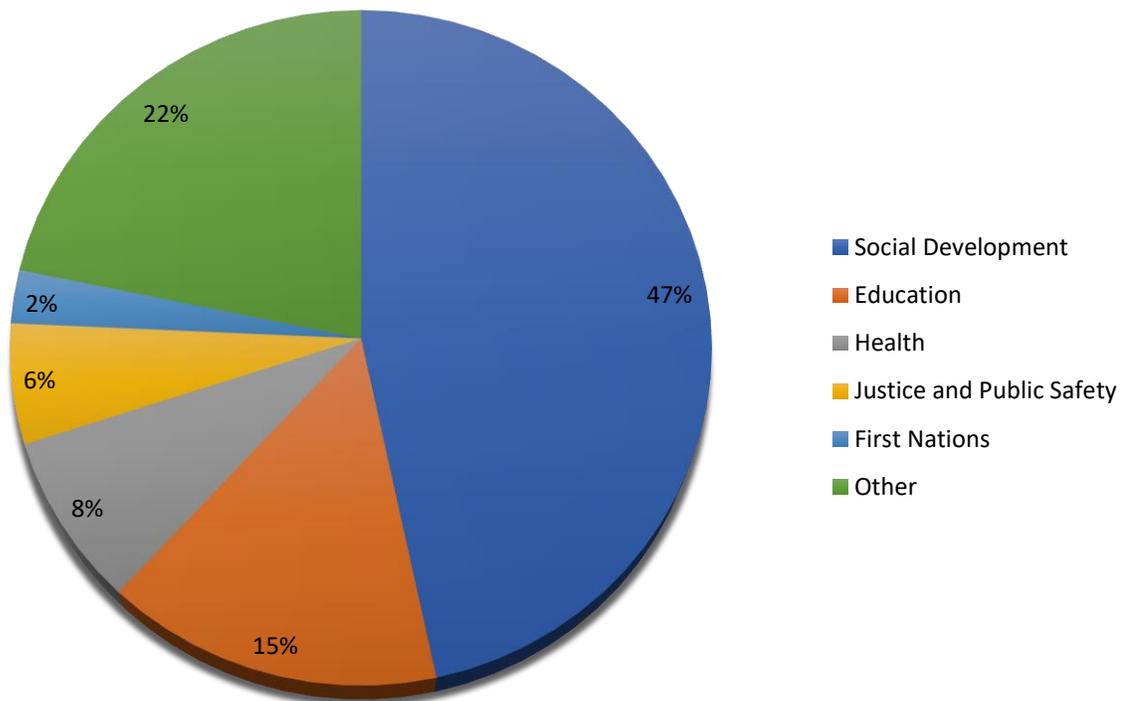
2017–2018 fiscal year: 626 advocacy requests



Although the number of files has increased over the years, the number of staff responsible for advocating for the rights of children and youth has remained the same. Our delegate staff echo that the complexity of the situations for which they advocate has also grown to be much more complex.

Statistical Overview for the Fiscal Year

Percentage of Individual Case Advocacy Requests by Department



This chart is a breakdown of the advocacy requests received at the office in the 2017–2018 fiscal year.

Most of the files are in relation to services provided by the Department of Social Development.

Our Advocacy Process

The majority of advocacy requests our office receives is submitted to our delegate staff by telephone, followed by requests received by email.

The delegates at our office first gather as much information as possible from the referral sources and speak with the children and youth concerned whenever it is possible. Under the provisions of the *Child, Youth and Seniors' Advocate Act*, at that moment, they can follow up with department officials involved in providing services to the children and youth in relation to the specific advocacy request they have received to determine if there is a violation of their rights. Our staff will then advocate to ensure that the needs of children and youth are being respected and met. The advocacy process also often necessitates that the delegates participate in meetings and case conferences. They will also review the policies and practices directly related to the delivery of services by the agencies involved. In some instances, they are required to advise and make recommendations to government to help meet the specific needs of children and youth.

Our delegates pride themselves on being knowledgeable about the various provincial government programs and services. The entire team will go above and beyond to advocate for children and youth, and when required, they will guide individuals towards appropriate services even when these services fall under the jurisdiction of the federal government or are offered by various non-governmental agencies.

Case Advocacy Summaries—Success Stories

Advocacy (1)

Isabelle contacted the Office of the New Brunswick Child and Youth Advocate as she was struggling with her mental health, which consequently affected her options for schooling. This youth struggled with high anxiety that is in part caused by her diagnosis of Obsessive-Compulsive Disorder. Although she was a great self-advocate for her mental health and educational rights and needs, she reached out to us as she felt she needed extra support. At a young age she realized that the traditional school setting was not meant for her and now at 16 years old she was accepted, with the help of our Office, to be part of the General Educational Development (GED) program. Although individuals must be 18 years old to enroll in this program, an exception was made and she was accepted.

Her next step was then to write her final GED exam. However, to receive the appropriate accommodations, an updated psycho-educational assessment was required. Both the District and the GED program felt that the other department should pay for the assessment. After several conversations with the District, the Department of Education and Early Childhood Development and Post-Secondary Education, Training and Labour, arrangements were made to cover the cost of the psycho-educational assessment.

Isabelle completed her GED and is now on her way to further her education in a post-secondary setting.

Advocacy (2)

Kaiden was excited about graduating from high school this past spring and planned on attending a local community college to further his studies. Due to anxiety and depression, Kaiden was accommodated in various ways with his education since his primary school years. Some examples of these accommodations included having projects to complete in lieu of exams or else having someone sit with him while writing an exam. The college that Kaiden applied to insist that a psychoeducational assessment be completed on Kaiden so that he could be supported in each of his classes. This type of assessment was never deemed necessary for Kaiden during his elementary and high school years, as he succeeded at school without the need for one. Instead, Kaiden's teachers used his Personalized Learning Plan to figure out how best to assist him in meeting his educational goals. As this assessment was a requirement for entrance to the college, it was the family's responsibility to cover the cost. However, it was not something they could afford.

Frustrated by this situation, the family approached the Office of the Child and Youth Advocate. As this situation was similar to one from the past that the Office had dealt with, the family was told to make an appointment with an employment counsellor at the Department of Post-Secondary Education, Training and Labour who could facilitate arrangements and payment for a psychoeducational assessment.

The family followed through and as a result, Kaiden received the assessment and was subsequently accepted into the program of his choice at the college.

Advocacy (3)

Our office was contacted to provide advocacy for 12-year-old Tina. She was described to our office as being a child who suffered with anxiety and had difficulty making friends. She was often under the impression that the teachers and staff at her school did not support her or understand what she was going through. To manage behaviours of all students at school, the school was using a negative reinforcement system, where every time a student misbehaved they receive an X under their name. This system exasperated the anxiety she was having at school and she struggled on finding ways to express this.

A meeting was organized to reunite the family and the school with the goal to discuss Tina's anxiety and concerns with her current school situation. The meeting brought forth positive results and modifications were made to the reinforcement system as Tina's family also strongly believed that it had a further negative effect on her behaviours and stress levels.

During this meeting, school personnel also acquired a better understanding of how Tina's anxiety affected her at school. The district then further engaged with the school to adjust how to manage behaviours with all children by placing emphasis on positive behaviours instead of negative ones.

All parties involved echoed that the changes in the behaviour management system resonated very well with Tina and her relationship with the school staff grew stronger.

Committees

Our delegate staff are well-connected to the community and sit on several committees:

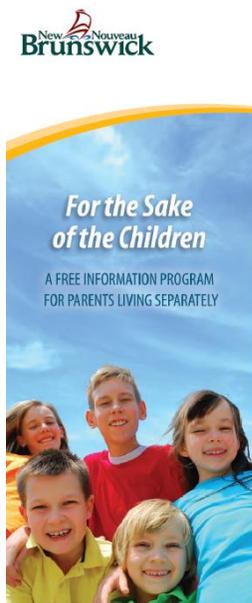
- Youth First Committee (Greater Moncton Region)
- You Turns Committee (Moncton)
- Grand réseau de la petite enfance francophone Sud (Moncton)
- The Advisory Committee for the Prevention of Child Sexual Abuse (Fredericton)

A Final Thought

A growing concern raised by our staff is the impact that unresolved custody and access issues are having on children and youth. Conflict between the parents is prevalent in several advocacy requests received at the Child and Youth Advocate Office.

We would strongly encourage parents and caregivers who are currently encountering various types of conflict while co-parenting to register in a free six-hour program which is offered to residents of New Brunswick.

Program: For the Sake of the Children
Call to register: 1-888-236-2444



Separation can be a time of pain, confusion and sorrow. Parents and their children may experience a great sense of loss and will often need help to understand and cope with all the changes that come with separation.

For the Sake of the Children is a free six-hour program divided into two sessions of three hours each. It is designed to provide the type of information parents need:

- To understand what they are going through, both legally and emotionally; and
- To help them cope with and adjust to separation so that they can help their children adjust.

Separation is an adult issue. Children do not make the decision to separate, yet they are greatly affected by that decision.

The effects of separation on children largely depend on how parents manage their relationships after the separation.

Separation is difficult. However, research and experience show that it is continued conflict between the parents that causes the most harm to children, not the separation itself.

For the Sake of the Children teaches ways to reduce the conflict between parents and also relieve the stress they are experiencing. It focuses on helping parents help their children

The program covers:

- Adults' experience of separation;
- Children's experience of separation;
- Children's needs at different ages;
- Planning parenting after separation;
- Alternatives to Court;
- Reorganizing; and
- Legal issues;
- Economic issues;
- The costs of conflict and the benefits of keeping conflict low;
- New partner issues;
- Communicating with your child's other parent;
- Communication with your child;
- Effects of conflict on children.

Professionals knowledgeable in separation and divorce issues conduct the program. They will use videos during the sessions and participants will receive handouts and printed resource materials, as well as a certificate of completion.

For the Sake of the Children is especially beneficial for parents experiencing separation. Both parents are encouraged to participate and will be registered to attend separate sessions. The program is also open to others.

How to Register

To register for a FREE session, please call toll-free:

1-888-236-2444

Email: FTSOTC@gnb.ca

Participants may be asked to help evaluate the program by completing a questionnaire. This feedback is important, as it will help to improve For the Sake of the Children and to develop future programs for parents.

For general information and resources on family law, please contact:

1-888-236-2444

(Toll-free information line)

Email: pleisnb@web.ca



Public Legal Education and Information Service of New Brunswick

www.legal-info-legale.nb.ca
www.familylawnb.ca

For the Sake of the Children was developed by Manitoba Family Services and Housing, and is presented with permission by the New Brunswick Department of Justice and Public Safety. Funding assistance for this project has been provided by the Federal Department of Justice.

Published by:

New Brunswick

NB Department of Justice and Public Safety
P.O. Box 6000
Fredericton, NB E3B 5H1

ISSN: 978-1-5547-1725-5 April 2018

Education, Awareness and Outreach

International Summer Course on the Rights of the Child 2017

The 6th Edition of the International Summer Course on the Rights of the Child focused on the right of the child to preserve his or her identity pursuant to Article 8 of the *Convention on the Rights of the Child* (CRC) and the right of the children who belong to ethnic, religious or linguistic minorities or the persons of indigenous origin to profess and practise their own religion or to use their own language as defined in Article 30 of the CRC. An additional attention was placed on gender identity, newcomers and other minorities as it is portrayed on the national and international stage by exploring systems from other countries.



Close to 50 participants, from as far as Haiti, Congo and the Republic of Guinea, completed the course which was offered at the Université de Moncton from June 26 to June 30, 2017. During the Course, 38 Guest Speakers held seminars to explore those specific themes. Special Guest included Children's Rights Advocate, Landon Pearson and Bernard Richard, British Columbia Child and Youth Advocate and former NB Ombudsman.

This summer course which is offered since 2012 to anyone interested in the rights of the child, as well as professionals working with children from all disciplines. The goal of the course is to help to strengthen links between experts and practitioners working with children and youth. The diversity of the experience shared by the guest speakers and participants during the course provides high-quality professional development opportunities and lays out an essential platform for networking ideas and best practice.



Shaking the Movers 2017

Developed by the Landon Pearson Resource Center to provide a forum for youth to learn about their rights, Shaking the Movers is



held annually. The second edition, organized by the New Brunswick Child and Youth Advocate in collaboration with the Multicultural Association of Fredericton (MCAF), focused on refugee and immigrant rights, observed through a child rights lens.

Held on November 10–12, as an overnight camp at Green Hill Lake, NB, 36 youth between the age of 12 to 17 years-old from across the province participated in the 2017 East Coast Shaking the Movers event. A variety of knowledge-sharing activities were organized to encourage discussions among its participants to develop 33 recommendations which were then shared in the *East Coast Shaking the Movers—Defending Child Rights for Refugees and Newcomers* report.



Boreal Child and Youth Expertise Centre

Established in October 2017, the Boreal Child and Youth Expertise Center is the first of its kind in the province, which focuses on the need of young victims of sexual abuse. With the help of the Director of Research, Education and Outreach, Sarah Dennene and the Director of Clinical Services, Annette Bourque from the Office of the Child and Youth Advocate, as key partners, the Boreal Child and Youth Expertise Center identified the need and best practices to coordinate service delivery to young victims of sexual abuse while considering existing systems. As a non-profit organization, the Boreal Child and Youth Expertise Center helps children and young victims of sexual assault and their families with a multidisciplinary team of professionals to serve residents of Kent, Westmorland and Albert counties.

Boreal

Centre d'expertise
pour enfants
et adolescents



Child
and Youth
Expertise Centre

Child Rights Education Week (CREW)

The Child and Youth Advocate Office coordinated the national campaign held from November 20–26, 2017. The Director of Research, Education and Outreach, Sarah Dennene and Julie Ranger from the *Commission des droits de la personne et des droits de la jeunesse du Québec* co-chaired the CREW Campaign. Its aim is to raise awareness about the promotion and protection of the rights of the child with activities to generate discussions.

By using educational resources, a social media campaign and hashtags, young Canadians were encouraged to speak about their rights. The main goal was to provide youth and the public with a better understanding of the process used for reports as they would be presented to the United Nations (UN) Committee on the Right of the Child. Provided that, Canada is accountable to the UN in terms of how rights of the child are implemented across the country.

Youth from the NB Shaking the Mover committee and others from British Columbia were involved in organizing the CREW campaign which invited youth from across the country to be heard on which right they think is most important to them. Young Canadians from across the country we encouraged to post pictures, video or make statements on social media about their rights using hashtags like #MyRightToBeHeard and #MyRightsCRC.



On November 20, 2017, the anniversary of the UN's adoption of the *Convention of the Rights of the Child* (UNCRC) also known as National Child Day, UNICEF launched its *Kids Takeover* campaign. For the occasion, Shekinah Rutande and Katherine Mills were Advocates for a day and followed the New Brunswick Child and Youth Advocate, Norman J. Bossé, Q.C. to all his meetings and hosted of the annual State of the Child launch.

The Child and Youth Research and Outreach Director, Sarah Dennene was asked to provide direction and awareness about how the rights of the child can be better respected. Presentations were given to:

- Réseau de la petite enfance francophone
- CCNB students
- Gouvernement agencies
- Youth Forum on the Rights of the Child in the Acadian Peninsula
- Schools



CREW
Child Rights
education week
November 20-26 2017
SEDE
Semaine d'éducation
aux droits de l'enfant
Du 20 au 26 novembre 2017

As a result of a school presentations, a youth took the initiative to suggest using the theme of Rights of the Child during the Partner for Youth Inc.'s upcoming Youth Engagement Initiative held during that spring.

Systemic Advocacy

Systemic advocacy within the Office of the Child, Youth and Seniors' Advocate focuses on representing the rights, interests and viewpoints of all those within the mandate of the office's governing legislation. Through systemic advocacy we seek to influence laws, policies, and practices to ensure the protection and promotion of human rights. The Advocate's systemic advocacy is informed by individual cases that come to our office, as well as by connections with concerned members of civil society and government.

The largest proportion of systemic advocacy is undertaken through informal meetings with government Departments, and not in the public realm. However, at times the Office of the Child, Youth and Seniors' Advocate is asked by government to provide advice in a more formal manner or does so on its own accord.

Throughout 2017–2018 the office undertook systemic advocacy on many matters, involving the youth criminal justice system, the education system, the child welfare system, the health system, and other areas impacting children, youth and adults within our jurisdiction. Recommendations to government included ceasing the practice of solitary confinement of youth within the corrections system, the creation of a governmental children's budget, finding alternative arrangements to end the practice of housing accused and convicted youth under the YCJA together, and creation of a comprehensive plan to implement the UN Convention on the Rights of the Child.

Research

This year the Office of the Child and Youth Advocate (CYA) redoubled its efforts to engage the New Brunswick research community in supporting a child rights-based culture change in the province. The ACCESS Open Minds mental health initiative continued its programmed service delivery through youth safe space access points in Elsipogtog First Nation, in Saint John and in the Acadian Peninsula. Outreach sessions were held with faculty members at Mount Allison University and at University of New Brunswick Saint John (UNBSJ) to network researchers interested in child welfare, child health and child right-related research. The Office of the Child and Youth Advocate collaborated in the launch of GlobalChild, a new CIHR funded research program at the University of Victoria that will develop a global framework and child rights monitoring platform to standardize government approaches to quantify and compare child rights implementation and assist State Parties in preparing their monitoring reports to the United Nations Committee on the Rights of the Child.

In partnership with researchers from the Faculty of Education at UNB and from the Muriel McQueen Ferguson Centre for Family Violence, the Office of the CYA was able to assist in the development of a video treatment of the trajectories and stories of New Brunswick Youth which was shared during the Status of Women funded Girls Cyberviolence project 2013–2015.

Stemming from the University of Moncton (UdeM) campus, the *Groupe de recherche interdisciplinaire sur la santé mentale des enfants et des jeunes (GRISMEJ)* received new funding to undertake a ten-year evaluation of the Social Pediatrics in a community pilot project developed in Memramcook and in southeastern New Brunswick by Dr. Elaine Deschênes. The Office of the CYA also supported the formal application of the *Groupe de recherche interdisciplinaire en droits de l'enfant (GRIDE)* as a formal research group on the UdeM campus and helped in the planning of the second provincial forum on French language Education with researchers from the *UdeM campus de Shippagan*. These outreach efforts facilitated the negotiation and obtention of a three-year funding envelope from the NB Department of Education and Early Childhood Development to support the delivery of the International Summer Course on the Rights of the Child with a focus on the right to education and the Aims of Education for 2017–2019.



A New Mandate

On July 1, 2017, the *Child, Youth and Senior's Advocate Act* was proclaimed, appointing the current Child and Youth Advocate, Norman J. Bossé, Q.C. as the first New Brunswick Seniors' Advocate. The changes included in the legislation extended the mandate for advocacy to include a particular focus on protecting the rights and interest of seniors (65 years of age and over) and of vulnerable adults (under the age of 65) under protection of the province.

Prior to this new legislation introduced in July 2017, the concerns of seniors and vulnerable adults were managed by the provincial Ombud office. The *Child, Youth and Senior's Advocate Act* stemmed from the Government's *Review of the Officers of the Legislative Assembly, 2016*, which identified the need to create a specialized legislative branch to provide independent advocacy for seniors and vulnerable adults. This broadened the scope of responsibilities for the Child and Youth Advocate Office which would have legislated oversight over nursing homes, special care homes, home care services and accredited community services.

The framework used by the newly created Seniors' Advocate Office, to apply this new legislation, was based on the *United Nations' Principles for Older Persons*. These guidelines helped the Seniors' Advocate team in defining a vision, a mission and strategically determine a protocol to screen complaints.

Functioning as its own entity, the Seniors' Advocate pulled staff and expertise from the Child and Youth Advocate's Office whose responsibilities and mandate draws from the same legislation. Training and adjustments were made to develop skills to better address seniors and vulnerable adult issues. Distinct branding for both mandates were created to facilitate public recognition and encourage access to our services. A full-time Director of senior's advocacy was hired, as well as a part-time Director of systemic advocacy and legal counsel. In addition, a part-time Communications Officer was hired on a contractual basis. Administrative support for both teams was assured by an office manager shared with the Child and Youth branch.

Process

Seniors, vulnerable adults, or their families can contact our office in person, by phone, by email, or by mail. The Seniors' Advocate can also open a case on its own if it sees fit; this without receiving a formal complaint from the public. During its first year of operation, seniors, vulnerable adults, family members, third parties, MLAs (referrals), interest groups and other members of the public have reached out to file complaints. Once the office determines it has jurisdiction under our legislation, the complaint is reviewed with the appropriate provincial authority with the purpose of finding a solution using advocacy and alternative dispute resolution processes, or opening an investigation if it is warranted.

Challenges

During our first year of operation the Seniors' Advocate Office faced many challenges. The limited budget allocated for the new mandate limited the office's capacity to pursue its advocacy work. During this first year, an emphasis was placed on individual case work, branding and limited public outreach, as the resources permitted. An allocation of 15% extra funding was added to the Child and Youth Advocate's operating budget. In all the Seniors' Advocate Office received \$ 150, 000 to fulfill its mandate to advocate for New Brunswick's seniors and adult under protection population. It was clearly noted that a more significant increase in the budget was necessary to fulfill the advocacy mandate as intended in the new legislation. According to the *Review of the Officers of the Legislative Assembly, 2016*, the necessary resources were to be provided to effectively and efficiently exercise the mandate of the Seniors' Advocate.

Another important challenge identified is the unclear legislation about vulnerable adults under protection. The Act does not define in clear and specific terms what *under protection* includes. The lack of clarity makes sorting out questions of jurisdiction for the vulnerable adults group difficult as staff determine how to treat this type of incoming complaints.

Because our mandate is new, the public has a misperception of the Senior's Advocate office. Some perceive our office as an agency which provides legal services, or as an adult protection agency, or as the Public Trustee. In fact, some special interest groups within the province have already proclaimed themselves as seniors' advocates. These groups perform important work which differs from the mandate of our office. The Seniors' Advocate is legally mandated by the Legislative Assembly of New Brunswick which grants the authority of broad investigative power to the Office. Since the Seniors'

Advocate is a new provincial entity, the potential for confusion is significant. For this reason, branding and public education about the Seniors' Advocate's role has become essential to provide effective and efficient advocacy for New Brunswick seniors and adults under protection.

From our experience, agencies have a natural tendency to protect themselves, even if serious allegations were made about the wellness of a vulnerable adult or a senior. In this regard, the Seniors' Advocate staff faced unexpected resistance from public agencies. Usually, a defensive response towards the Office was received when agencies were approached for the first time by Seniors' Advocate staff. Privacy legislation was evoked to justify their non-collaborative response. Some agencies are convinced that the privacy legislation can trump the authority of *Child, Youth and Senior's Advocate Act*. Most do not understand the Seniors' Advocate mandate and authority. Most often, their emphasis on self-preservation undermines and negates the best interests of our clients. More education and visibility of the office through media and public release of reports would help foster wider acceptance and respect of our office and its mandate.

Another challenge for the Senior' Advocate Office is the current case management system which needs to be improved to facilitate the advocacy work. The categories available in the current system to register a complaint does not reflect senior or vulnerable adult issues. Adding new categories would enhance advocacy work and make it easier for us to quantify pertinent data about seniors.

As of July 2017, the Seniors' Advocate Office is a new stakeholder in a social climate characterized by economic restraint and limited services, paralleled by an ever-growing aging population with equally growing needs. Seniors and vulnerable adults have specific requirements and the increasing demands for advocacy will require additional resources to proactively serve this population.

Outreach and Education

The Seniors' Advocate mandate is new and some of the Outreach and Education efforts were realized through traditional media and social media initiatives. Most of the Office's Outreach and Education focused on visits of residential care facilities and meetings with operators and residents to hear the concerns of seniors and explain our new mandate.

Our Office met with government representatives in the field of health and social programs, the New Brunswick Association of Nursing Homes, the New Brunswick Association of Special Care Homes, the Alzheimer's Society of New Brunswick, the New Brunswick Medical Society, *l'Association francophone des aînés du Nouveau-Brunswick*, and *l'Université du troisième âge*. Furthermore, the Seniors' Advocate team participated in several stakeholder conferences.



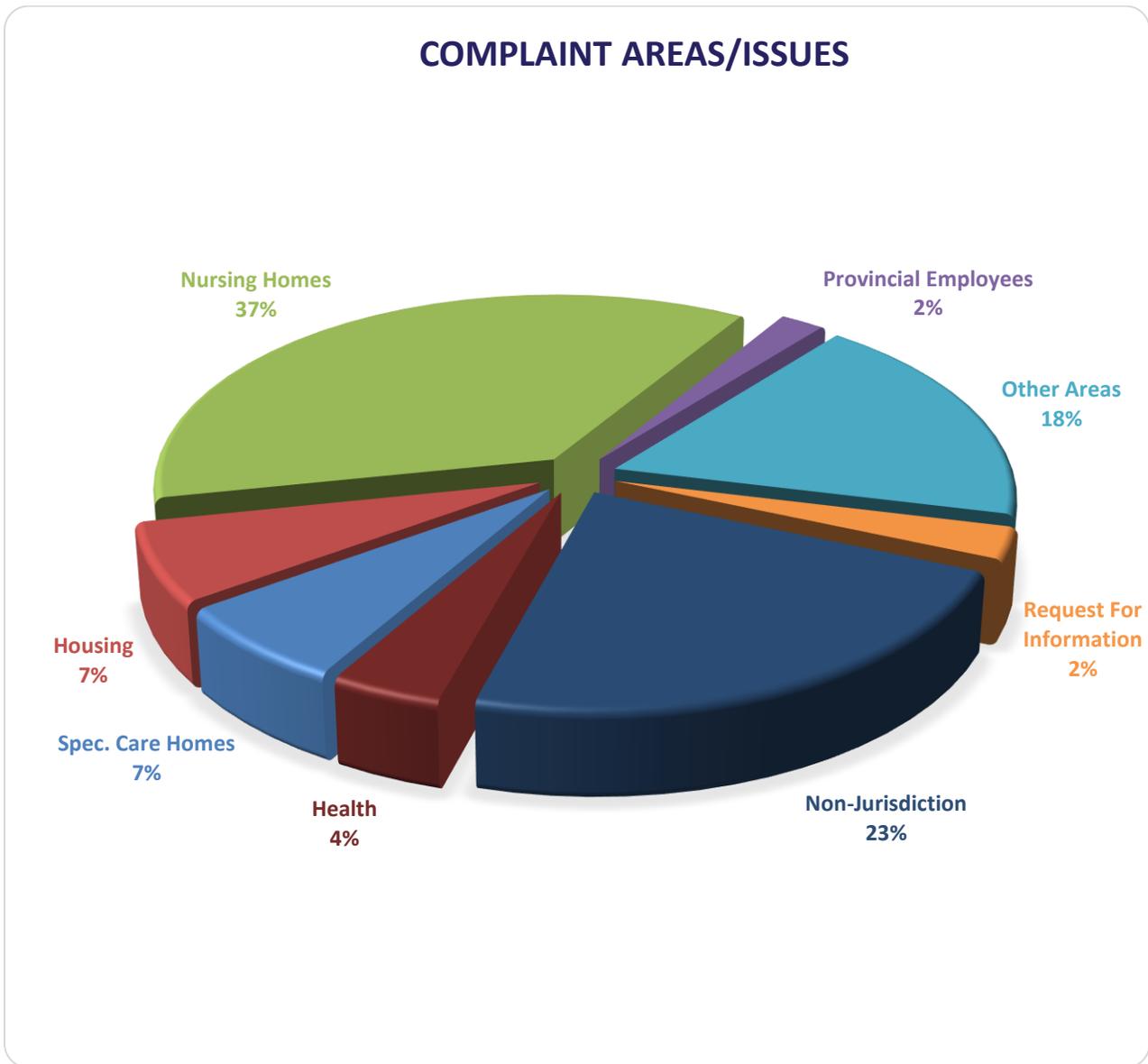
Fredericton City Hall
International Day of Older
Persons 2017

York Care Centre in Fredericton
Celebrating International Day of Older
Persons proclaimed by the UN.



Statistical Overview

From July 1, 2017, to March 31, 2018, the Seniors' Advocate Office received 149 complaints. The monthly average of complaints was 16.5 over the 9 months of operation in this fiscal year.



Breakdown of Types of Complaints

Complaints relative to nursing homes: 55 (37%)

(Issues include: poor care, negligence, abuse, disruptive behaviours by residents, conflict/disagreement between resident family member and staff, eviction, staffing shortage)

Complaints relative to special care homes: 10 (7%)

(Issues include: increase of daily fees by home operators, staffing shortage, relocation of a resident to meet needs and ensure safety, separation of couple in care, disruptive behaviours by residents, eviction)

Complaints relative to housing: 10 (7%)

(Issues include: home retrofitting and modifications, physical accessibility, disabled parking assignment)

Complaints relative to health: 6 (4%)

(Issues include: disagreement with physician, hospital care, hospital eviction, senior co-pay drug plan coverage)

Complaints involving provincial employees: 3 (2%)

(Issues include: failed to return calls, failed to provide information, rudeness)

Complaints other types: 27 (18%)

(Issues include: access to programs, processing time for service delivery program, placement wait-times, suspension of driver's licence/MVA, insufficient home support hours, adult protection, comfort and clothing allowance for special care home residents/DSD)

Requests for Information: 4 (2%)

(various)

Non-Jurisdiction—referred elsewhere: 34 (23%)

(Issues include: legal matters, private sector matters, financial abuse, disagreement with cabinet decisions)

Success Stories

Success Story #1

"Nobody wanted to help. At my age, I did not know where to go."

A 70-year-old senior with health problems which interfered with her mobility and her ability to use stairways, needed help. She suffers from multiple conditions which included arthritis, osteoporosis, and Parkinson's disease. Her strength was diminishing which affected her stability, increasing her chances of falling. She had already fallen a few times. The entrance to her home had stairs which was becoming increasingly difficult for her to use and next to impossible to use in the winter.

She required financial assistance to put in a lift to make access to her home safe. She asked the Department of Social Development (DSD) for help but was overwhelmed by the bureaucracy. The department denied her request indicating that her level of revenue was too high. Her total revenue only surpassed the program limit by a small amount. The Senior's Advocate Office got involved. A delegate discussed the issue with DSD. Our Office focused on the importance of maintaining seniors in their own homes. We asked DSD if it did a comprehensive assessment of the senior's circumstances or simply stopped assessing once it learned that her revenue was over the department's determined limit.

One of the avenues that was not explored was the fact that she qualified as a person with a legitimate disability and could receive the disability tax credit. DSD did not consider this option. The disability tax credit reduced the amount of her total revenue, which in turn met the department's criteria. They approved financial assistance for the lift. The elderly woman no longer needs to fear that she will become a prisoner in her own home.

Success Story #2

"The home support service company removed the services provided, leaving my parents with nothing. They didn't even contact us to advise us that the services were terminated."

An elderly couple, living at home, was receiving 40 hours of home support services on a weekly basis. These services were provided by a private company which was contracted by the Department of Social Development (DSD). Both seniors suffer from medical issues and they were diagnosed at various stages of dementia. Their adult children in collaboration with the department and the private home support service provider assisted them in providing help with their needs. Due to additional medical complications, one of them was admitted to hospital temporarily. At that point, the home support service company discontinued the services and the family was not informed.

No support worker showed up at the couple's home to provide help, because none of the workers had been dispatched by the service provider. Members of the family noticed that the senior was home alone. One of the adult children contacted the home support service company to account for the oversight. A representative from the service provider told the family member that the couple's needs surpassed the company's ability to provide appropriate services and therefore, they could no longer offer any help. They added they notified DSD.

When the family reached out to DSD about the matter, DSD stated they were not aware of the termination of services from the private home support service provider. The family was appalled that such a situation could happen, which left one of their parents alone at home, without any service, with no notification, putting that parent at risk. The family reached out for help from the Seniors Advocate Office. A delegate immediately addressed the issue with DSD.

DSD reported that according to the protocols in place regarding private companies hired to provide services, these companies are to consult with the department and the family before a decision is made to terminate services. In this case, the company had not followed the protocol. The Senior's Advocate explained clearly that this was a serious problem and advocated for the department to act, not only for the well-being and safety of the couple but to improve the coordination of services and the collaboration with the private service providers they make available to NB seniors. DSD undertook a new assessment of the couple's needs and concluded they required 70 hours a week of home support services, which is 30 hours more from the original 40 hours they had in the past. The department, at the request of the Seniors Advocate, spoke to the private service provider to address to inform them they did not follow protocol and hired a new company; this to ensure that the couple would receive services with no further disruption. The elderly couple was not only able to stay in their home, the amount of home support hours they received increased to meet their needs.

Systemic Advocacy for NB Seniors' Advocate

Due to a lack of resources, the Seniors' Advocate's systemic advocacy was constrained to undertake any comprehensive review. The Office is currently planning to tackle its first systemic review albeit the severe challenges caused by a limited budget.



Collaborative for Healthy Aging and Care Summit 2017

**NB Seniors' Advocate Norman J. Bossé, Q.C. and Honorary Guest Graydon
Nicholas, 30th Lieutenant Governor of New Brunswick**